

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

DOCKET NO: 15-CR-10146-FDS

v.

TONY BERRY

DEFENDANT'S MOTION FOR RELEASE ON CONDITIONS

Now comes the defendant through counsel and pursuant to Title 18 U.S.C. § 3142, respectfully requests that the Court release him pursuant to conditions. The defendant proposes certain conditions below. The undersigned submits that these conditions are sufficient to ensure Mr. Berry's appearance at future Court hearings, events and a possible trial in this case; and sufficiently address the statutory rebuttable presumptions of risk of flight and danger to the community.

Biographical Information:

The undersigned anticipates that the Pre-Trial Services department will report the following information to the Court concerning the defendant's personal background:

Mr. Berry a 36 year-old citizen of the United States. Mr. Berry was raised in Massachusetts and currently resides in Georgia with his family. Many members of his family still reside in the Boston area.

Mr. Berry appears as a good candidate for release on conditions pursuant to traditional factors enumerated in the federal bail statute. He has significant roots in the community, strong family ties, history of legitimate employment and a somewhat minor criminal record.

Suggested Conditions:

The undersigned argues that conditions can be set to ensure the defendant's appearance at future Court events and address concerns of danger to the community. The undersigned suggests the following conditions:

1. That the defendant execute an unsecured bond in the amount of \$100,000.00 (one hundred thousand dollars);
2. That family members post a secured cash bond in the amount of \$10,000.00 (ten thousand dollars);
3. That the defendant be subject to electronic monitoring during the pendency of the case;
4. That the defendant report in person or by telephone with the Office of Pre-Trial Services on a weekly basis during the pendency of this case;
5. That the defendant refrain from violating any federal or state laws;
6. That the defendant surrender his passport in his possession. The defendant agrees to not apply for any such passport while out on release during the pendency of this case;
7. That the defendant refrain from any contact with any witness associated with the pending prosecution against him;
8. That the defendant not possess a firearm or other dangerous weapon;
9. That the defendant not travel outside the United States without seeking permission from the Court;
10. And any other further condition the Court believes appropriate to ensure the defendant's appearance at trial.

Wherefore, the defendant respectfully requests that he be released from custody during the pendency of this matter pursuant to the conditions referenced above and any other conditions that the Court deems appropriate.

Respectfully submitted,

TONY BERRY,
By his lawyer:

Date April 8, 2016

/s/Michael P. Doolin
Michael P. Doolin

BBO # 546116
50 Redfield St., Suite 206
Boston, MA 02122
Telephone: (617) 436-3819

CERTIFICATE OF SERVICE

I, Michael P. Doolin, do hereby certify that I have served a copy of the foregoing via CM/ECF to the United States Attorney's Office, One Courthouse Way, Boston, MA 02210 this April 8, 2016.

/s/ Michael P. Doolin
Michael P. Doolin